THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.16340 of 2007

Between:

Ankireddy Palli Lakshmi Eswaramma and others.

.. PETITIONERS

and

The Government of A.P., and others.

.. RESPONDENTS

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ORDER:

It is the case of the petitioners that they are originally permanent residents of Jammarajupalli Village, B.Mattam Mandal, Kadapa District. As their entire agricultural lands were submerged under Bramha Sagar Project, the petitioners were migrated to Kandimallayapalli Village, Bramhamamgari Mattam Mandal, Kadapa District. Accordingly, on their applications, petitioners 1 to 3 were assigned the land admeasuring Ac.1-98 cents each and the 4th petitioner was assigned the land admeasuring Ac.1-97 cents in Sy.Nos.1714/2, 1714/4, 1714/7 and 1714/3 of Diguva Nelaturu Village, B.Mattam Mandal, Kadapa District, through various D-Form pattas, dated 14-07-2002. Thereafter, title deeds have also been issued to them. While so, without issuing any notice on the petitioners, the impugned orders in Ref.A/50/2007, dated 15-04-2007, have been passed by the 3rd respondent stating that the petitioners are not eligible for assignment of the said lands and accordingly resumed the lands in question into the Government custody. It is stated that the impugned orders passed by the 3rd respondent are nonest-in-law because they have been passed without issuing any notice and without giving any opportunity to the petitioners.

However, it is brought to my notice that the same proceedings resuming the lands in Ref.A/50/2007, dated 15-04-2007, have been set aside by this Court in W.P.No.13339 of 2007 and batch, dated 16-07-2007.

Following the aforesaid judgment, the impugned proceedings, dated 15-04-2007, passed by the Tahsildar, B.Mattam Mandal, Kadapa District, are set aside and the matter is remitted to the Tahsildar, B.Mattam Mandal, Kadapa District, who is directed to issue fresh notice to the petitioners informing all the grounds, which are the basis for proposal for cancellation of assignment, and obtain proper explanation from them and pass appropriate orders.

Accordingly, the writ petition is disposed of. There shall be no order as to costs.

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23-10-2007

Prv